

Resolution No.: 15-1097  
Introduced: July 26, 2005  
Adopted: July 26, 2005

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By County Council

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**SUBJECT:** DPWT Docket No. AB665  
Abandonment - Portion of Piedmont Road  
Clarksburg, Maryland

**Background**

1. By letter dated June 11, 2004, from Samek, McMillan & Metro, on behalf of its client, Clarksburg Village Investments Inc., the Applicant, application to the County was made to abandon a portion of Piedmont Road near its intersection with Stringtown Road in Clarksburg. The subject area is described on the attached metes and bounds description and drawing prepared by CPJ Associates.
2. A Public Hearing to consider the abandonment proposal was conducted on November 17, 2004, by the Designee of the County Executive.
3. The Police Department had no objection to the proposed abandonment.
4. Washington Suburban Sanitary Commission conditioned approval upon Applicant granting any necessary easement to protect the integrity of an existing 20 inch water line that lies within the proposed abandonment.
5. Washington Gas had no objection to the proposed abandonment.
6. Allegheny Power Company did not respond within the 60-day period and therefore, no objection is presumed.
7. Verizon conditioned approval upon applicant granting an easement for its existing facilities.
8. Maryland-National Capital Park and Planning Commission had no objection.

9. The Department of Public Works and Transportation conditioned approval upon the County's reservation of rights for any County storm drain facilities or public utility facilities within the area.
10. The Department of Fire and Rescue Services had no objection to the proposed abandonment.
11. The County Executive recommends approval of the proposed abandonment.

ACTION

The County Council for Montgomery County, Maryland, finds that the portion of Piedmont Road described on Exhibit A is no longer necessary for public use, pursuant to Section 49-62 and Section 49-63 of the 2004 Montgomery County Code, and approves the abandonment subject to the following conditions:

1. The Applicant shall record all necessary easements and if necessary relocate facilities for any affected public utility companies and Montgomery County for storm drainage facilities in place, as well as proposed facilities, for purposes of repair and maintenance.
2. The Applicant shall bear all costs for the preparation and recordation of all necessary easement documents and plats. Within twenty-four (24) month from the date of this Resolution applicant must record a plat of abandonment incorporating the former right-of-way.
3. The County Attorney shall record among the Land Records of Montgomery County, Maryland, a copy of the Resolution approving abandonment of the subject area, subject to the reservation of rights specified in this Resolution.
4. Any person aggrieved by the action of the Council for abandonment may appeal to the Circuit Court within 30 days after the date such action is taken by Council.

Attachment -- Description

This is a correct copy of Council Action.

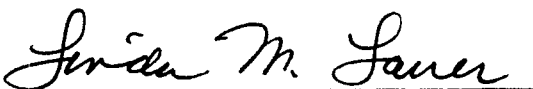
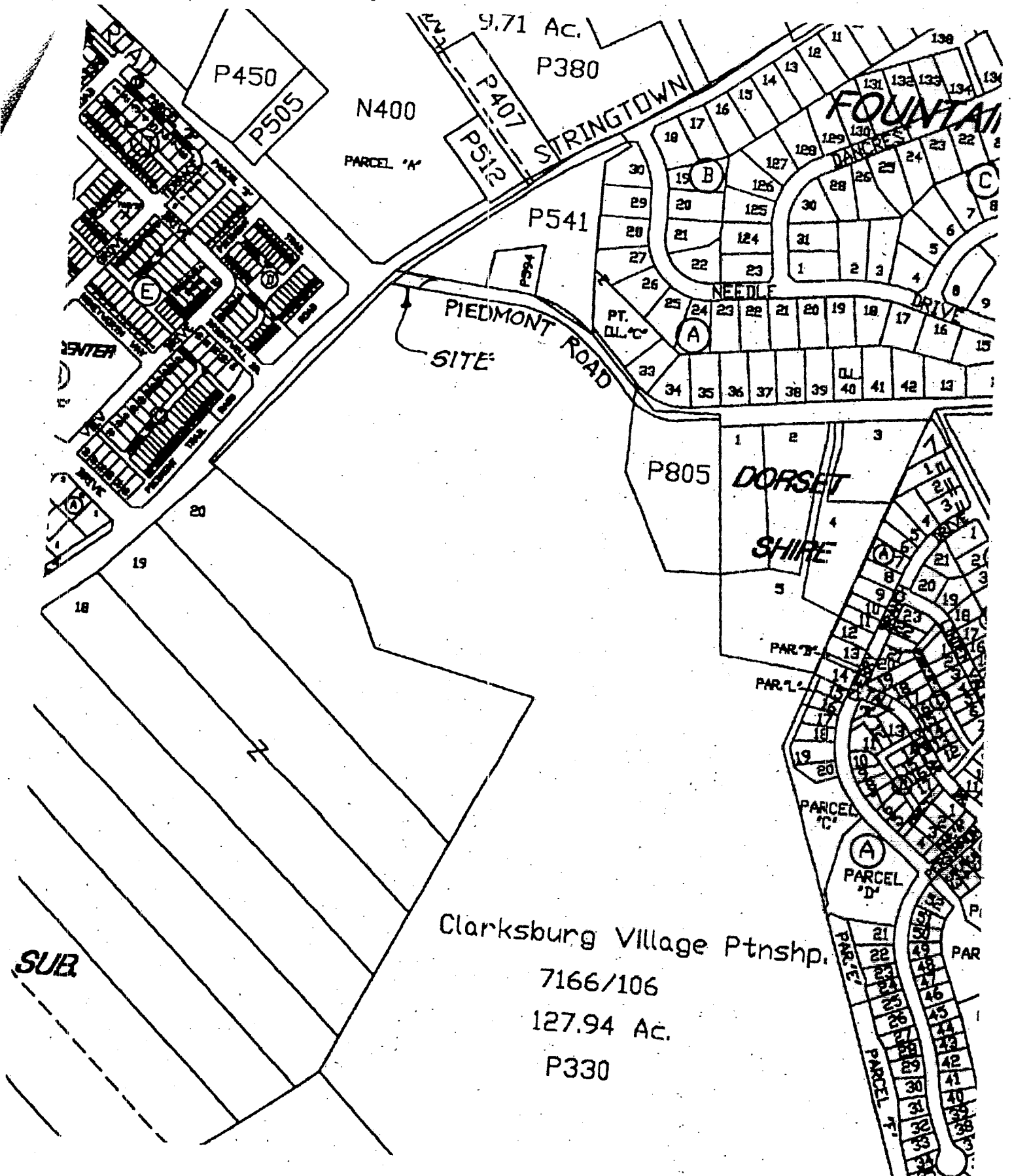
  
Linda M. Lauer, Clerk of the Council

EXHIBIT "A"



TAX MAP: EW